

# Transportation Commission meeting

February 19, 2004

---

## Agenda outline

---

### Delegations

---

1 pm	<b>Meridian Road - Kalispell</b> Jim Hansz and Kalispell delegation
1:30 pm	<b>West Railroad Street (Route 6902) in Laurel</b> Steve Klotz, Public Works Director and Ken Olsen, Mayor of Laurel
2 pm	<b>Swamp Creek project (US 2 between Libby and Kalispell)</b> Tony Berget, Mayor of Libby/Rita Windom, Lincoln County Commissioner
2:30 pm	<b>Morning Star Drive project in Lame Deer</b> Carrie Braine, Northern Cheyenne Tribe Transportation Planner

---

*The following items will be acted upon throughout the day as time allows:*

### Agenda items

- 02-04-01 Options for recording commission meetings; Polycom etiquette
- 02-04-02 WASHTO – invitation to attend annual meeting July 18-21 in Kalispell
- 02-04-03 Battlefield East – update on value engineering proposal #2
- 02-04-04 US 93 corridor preservation – railroad property acquisition in Polson
- 02-04-05 Speed limit studies
  - a. Secondary 348 - Phillipsburg West
  - b. Secondary 233 - St. Joe Road
  - c. Secondary 430 - Canyon Ferry Road East
  - d. Secondary 430 - Canyon Ferry Road West
  - e. Secondary 224 - Joplin
  - f. Secondary 544 - Biddle to Boyes
  - g. Secondary 398 - Broadus North
- 02-04-06 OPI summary: 1998-2002
- 02-04-07 Wetland mitigation opportunities near Martinsdale – \$90,000 requested for feasibility study
- 02-04-08 Pavement preservation – request to add seven projects to 2005 program
- 02-04-09 Daly Street (from Main to 2nd St) in Walkerville – \$75,000 requested to fund engineering study

- 02-04-10 Sidney – request to add two projects to use up their urban fund balance (\$289,432)
- 02-04-11 Signal project in Billings – request for funding (approx.\$225,000) and delegation of project administration to City of Billings
- 02-04-12 Enhancement projects on MDT right-of-way – request for approval
  - a. Milwaukee RR bike/pedestrian path in Missoula (\$385,000)
  - b. Lakeside-Somers bike/pedestrian path (\$193,992)
- 02-04-13 Bridge projects on the secondary highway system – request for approval of county-administered/funded improvements
  - a. Wanke Bridge – Hill County
  - b. Howie Road Bridge – Sweet Grass County
- 02-04-14 Changes to previously approved bridge projects
  - a. Big Muddy Creek bridge on US 89 on northern edge of Bynum
  - b. Big Powder River bridge 3km E of Powderville
- 02-04-15 Emergency Relief (ER) project – Milk River Bridge west of Chinook on US 2
- 02-04-16 Big Sky Spur (MT 64) safety project – request for post-award approval (project exceeded \$50,000 delegation authority limit for safety projects)
- 02-04-17 Process for revocation of motor carrier permit privileges – draft policy for review/action

### Monthly business

- 02-04-18 Certificates of completion for October, November, December 2003 and January 2004
- 02-04-19 Work/change orders
  - a. October = \$227,524.83
  - b. November = \$420,221.05
  - c. December = \$96,768.37
- 02-04-20 Liquidated damages
  - a. \$22,352 assessed on *Polson N* (JTL Group Inc)
  - b. \$2,303 assessed on *Plentywood W* (SK Construction Inc.)
  - c. \$1.397 assessed on *1 Mile E of Helena* (SK Construction Inc.)
- 02-04-21 Commission discussion and public comment
  - a. Guidelines for award
  - b. Transition – solicit ideas/suggestions
- 02-04-22 Schedule next commission meeting

Agenda item: 02-04-01

Staff person handling: Jim Currie

Date: February 19, 2004

Item: **Recording commission meetings**

---

### **Background**

We are moving to a new format for recording the commission's business meetings. Today we present two possibilities for your consideration:

- Video/audio recording
- Audio only recording

We will be recording today's meeting using both formats. Attached are some recommendations to help ensure a good recording.

### **Summary**

There are pros and cons to both, a few of which are identified below.

<i>Video-audio</i>	<i>Audio-only</i>
The Polycom Video Equipment was not designed as a recording device. The picture image is interesting to watch but not imperative – "People can tolerate a poor quality picture, but will never tolerate poor quality audio."	The digital audit recording equipment was designed for the purpose of capturing a highway-quality recording.
The unit is not equipped with the appropriate number of microphones. The camera is not easily manipulated to capture the entire proceedings especially in a large setting.	Good quality microphones, and the appropriate number and distribution of these microphones, is critical. The audio system can be expanded to include more microphones.
Larger file sizes would prohibit us from making the recordings available on the Internet – streaming is prohibited by state policy.	Smaller file sizes (quicker to download) could be made available on the Internet.
Recording from one meeting would probably take more than one CD.	Recording from one meeting would probably fit on a single CD.
Limits locations to Helena headquarters and the district offices.	Completely portable to any location (as long as power is available!)
Equipment is already purchased.	Need to purchase equipment – model on demonstration today costs approx \$900.

### **Staff recommendation**

Staff recommends the audio-only format.

### **Notes/discussion**

### **Commission action**

# MDT Video Conferencing Etiquette

## General Considerations

- Video is best deployed when gestures and facial expressions of a speaker provide additional motivation to watch or help communicate points.
- Don't wear patterns or colors that will overwhelm the camera. Keep to neutral colors and solids.
- There is no need to ask if participants can hear you. If they can't they won't respond correctly when you first speak to them.
- Audio systems in video conferences are very sensitive to extraneous noise. Therefore, avoid tapping pencils, rustling papers, side conversations, and other distracting noises that may be magnified by the audio system.
- Excessive movement during a video conference can impair the quality depending upon the speed of connection. Therefore, try to limit unnecessary movement in order to maintain the best quality picture.
- Assume you are on camera, even when you are not speaking.

## Prior to a Conference

- Don't assume everything is working. Test the equipment in advance and have a contingency plan in the event the equipment does not function properly.
- Run video conference sessions according to a well thought out agenda
- Let participants know ahead of time what to expect.

## During a Conference

- Keep your system on mute when you are not speaking.
- Appoint a chairperson at the master site to govern the meeting.
- Introduce all participants.
- Speak clearly, loudly, and slowly.
- Use names to direct questions to specific people.
- Always announce who you are and where you are from when you begin speaking.
- Announce, when applicable, who is entering and leaving the room.
- Don't speak over people or interrupt.
- Be aware there is a delay when using video over network connections. Wait until you are reasonably sure the person talking is finished before asking a question or making a comment.
- Avoid making excessive background noise, like rustling paper.
- Once the conference is up and running, avoid playing with the settings during the meeting.

Agenda Item: DELEGATION

Staff Person Handling: Sandy Straehl

Date: February 19, 2004 – 1 pm

Item: **North Meridian Road - Kalispell**

---

### **Background**

The North Meridian Road project in Kalispell was added to the program by the Transportation Commission in January 1995. The original estimated cost of the project was \$5,282,000. The project involves an existing two-lane, 1.2-mile corridor located in northwest Kalispell (see attachment 1). Improvements include reconstructing to four lanes between Idaho Street (US 2) and Three-Mile Drive, and to three lanes between Three Mile Drive and US 93. Other work activities include concrete curb & gutter, sidewalks, bike path, storm sewer, street lighting and traffic signals. Robert Peccia & Associates is nearing completion on the design and the anticipated project bid opening date is May 27, 2004.

Approximately \$5,774,000 has been obligated for preliminary engineering, right-of-way and utilities with expenditures to date of \$3,704,000 (PE = \$700,500, RW = \$3,003,500). Remaining MDT costs based on the most recent estimate are about \$6,345,000.

Available funding for the project is approximately \$554,000 of STP-Urban funds. The result is a funding shortfall of about \$5,791,000, largely due to additional right-of-way and utility costs. The original right-of-way estimate was \$545,000 and is currently \$3,484,000, while the original utility estimate was \$100,000 and is currently \$1,550,000. Kalispell officials are requesting authority to borrow funds to advance this project, which will exceed funding allowed under the Transportation Commission Urban Borrow Policy.

### **N. Meridian Road - Project Funding Summary**

<i>1/30/04</i>	A	B	Available STP-Urban Funding		\$	554,664
	Initial Estimate (1997)	Current Estimate (11/18/03)	Obligated**	Expenditures to Date	Remaining Costs (B minus C)	E
PE	\$ 468,147	\$ 739,609	\$ 739,609	\$ 700,508	\$ -	
RW	545,000	3,484,143	3,484,143	3,003,492	-	
IC	100,000	1,550,184	1,550,184	-	-	
CN/CE	4,168,886	6,345,347	-	-	6,345,347	
Total*	\$ 5,282,033	\$ 12,119,283	\$ 5,773,936	\$ 3,704,000	\$ 6,345,347	

\* Does not include \$537,228 Local costs for storm drain & water main or \$39,530 FWP costs for storm sewer

\*\* Includes \$1,118,086 MACI Funds

**Funding Shortfall** \$ (5,790,683)

The commission policy on borrowing urban funds was adopted in 1998 and updated in 2002 (see attachment 2). The policy allows urban areas to borrow up to five years of their current year apportionment with the condition that the total amount advanced to all urban areas cannot exceed one-half the total amount apportioned to the State Urban Highway Program.

Kalispell's current year apportionment is \$455,600 with five years equaling \$2,278,000, while half of the total urban program is \$4,100,000. Based on this commission policy and the estimated remaining project costs, proceeding with the project letting in FFY 2004 would require Kalispell to borrow over 12 years of their allocation (\$5,791,000) and results in a violation of both criteria within the commission's urban borrow policy.

In addition to Kalispell, other urban areas are anticipating utilizing the borrow policy within the next few years for the following reconstruction projects:

<i>Urban Area</i>	<i>Project Name</i>	<i>Construction Estimate</i>	<i>Let FFY</i>	<i>Anticipated Borrow Amt</i>	<i># of years</i>
Kalispell	N. Meridian Rd	\$ 6,214,483	2004	\$ 5,791,000	12.7
Bozeman	S. 19 <sup>th</sup> Babcock to Kagy	\$ 5,750,000	2005	\$ 2,255,000	3.7
Miles City	Stower Street	\$ 550,000	2005	\$ 255,000	1.5
Laurel	8 <sup>th</sup> Ave Main-9 <sup>th</sup>	\$ 2,600,000	2006	\$ 793,500	5.2

Please see attached letter from Pamela Kenney, Mayor of Kalispell.

**Staff recommendation**

None.

**Notes/discussion**

**Commission action**

Agenda item: DELEGATION

Staff person handling: Dave Galt

Date: February 19, 2004 1:30pm

Item: **Laurel urban highway system funding**

---

### **Background**

STP-Urban funds are distributed to Montana's 15 urban areas providing financial resources to construct improvements on the Urban Highway System. The funding is a sub-allocation of the larger Surface Transportation Program authorized by state statute and approved by the Transportation Commission.

Funding through TEA-21 has been \$8.2 million (federal plus state match) and is allocated to each urban area based on a per capita distribution. Priorities for the use of these funds are established at the local level with final approval by the Transportation Commission (see attachment 1).

Laurel receives an annual urban allocation of \$154,100 and has a current balance of about \$1,498,000. Their current priorities include Main Street and 8th Avenue. In conformance with the commission's urban borrow policy, Laurel intends on borrowing five years of their current allocation to fund the 8<sup>th</sup> Avenue project in FFY 2006 (see attachment 2). Funding to advance a new urban priority will not be available until approximately 2011.

The city of Laurel has identified a new urban need, West Railroad Street, and consequently is requesting the commission to consider future funding increases to the STP-Urban program. Please see attached letter from Mayor Ken Olsen.

Staff has prepared three attachments

- background information on urban funding (attachment 1)
- Laurel's current urban funding allocation and priorities (attachment 2)
- a map of Laurel's urban highway system (attachment 3).

### **Staff recommendation**

Once the federal transportation bill, TEA-21, has been reauthorized and Montana's transportation funding levels have been established, reevaluate the urban program funding as well as other funding categories.

### **Notes/discussion**

### **Commission action**

ATTACHMENT 1

# Urban Program Background

- Federal-aid Urban Program abolished by ISTEA
- Federal funding distribution required only to urban areas greater than 200,000 (TMA's)
- Montana Urban Highway Program continued under State law (MCA 60-2-126)
- Sub-allocation of Surface Transportation Program (STP) by Transportation Commission
- Funding distributed by statutory population formula to 15 urban areas – based on decennial census population
- Matched with State (not local) funds
- \$8,200,000 through life of TEA-21
- Projects selected by local governments – approved by Commission

1/14/04

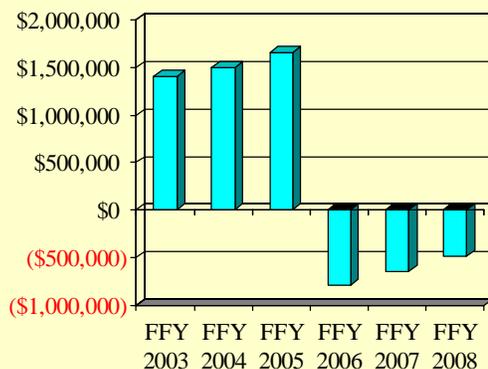


ATTACHMENT 2

## LAUREL

### Urban Highway Construction Program Summary Estimated FFY 2003-2008 Annual Allocation - \$154,100

#### Estimated Balances



#### Project Priorities

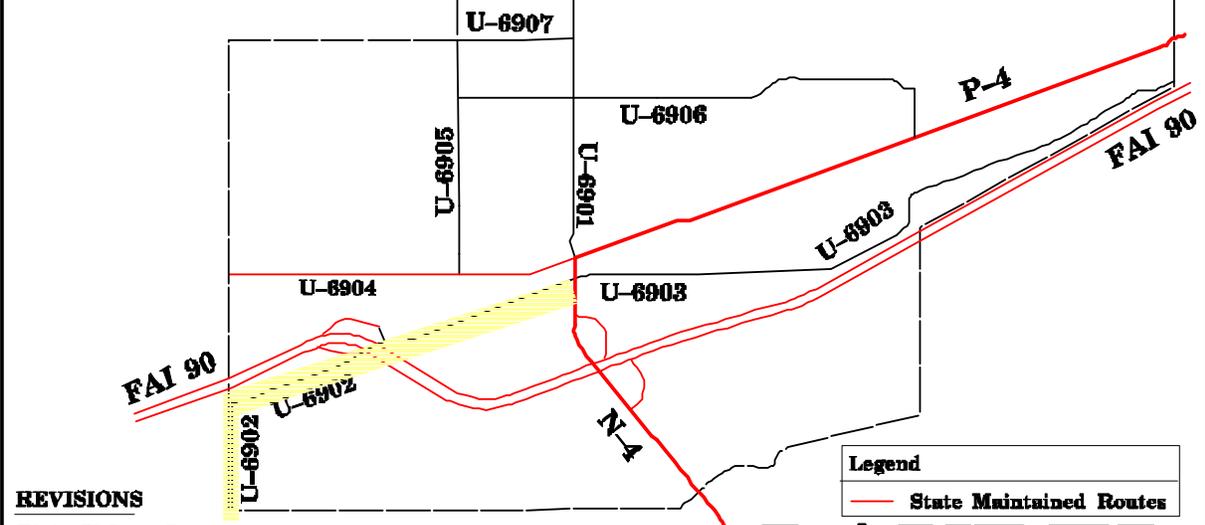
- Main St.  
Improvements (Anticipated letting FFY 2004 - \$60,000\*)
- 8th Ave.  
Reconstruct roadway from 7th Street to Main Street. (Anticipated letting FFY 2006 - \$2.6 million\*\*) (Current expenditures \$278,000)

1/14/04

\* Project funding also includes \$154,990 Urban Pilot Program funds.

\*\* This estimate (1/7/04) went up nearly \$600,000 over the previous estimate due to storm drain costs. The district, consultant, and locals are exploring ways to reduce storm drain costs.

URBAN HIGHWAY SYSTEM	
6901	1ST AVE-LAUREL N RD
6902	RAILROAD ST SHAY RD
6903	E RAILROAD ST - SHANNON RD
6904	MAIN ST
6905	8TH AVE
6906	YARD OFFICE RD -
	MARYLAND LN
6907	12TH ST
6908	AIRPORT RD



**REVISIONS**

State Urban System	05-08-96
Urban Boundaries	10-16-92
Reviewed	11-20-00

Legend	
	State Maintained Routes

**LAUREL**



Agenda item: DELEGATION

Staff person handling: Joel Marshik

Date: February 19, 2004 – 2 pm

Item: **Swamp Creek project**

---

### **Background**

The Swamp Creek Project on US 2 has been around since the mid 1980s. The plans have been completed on three occasions and were not let to contract for a variety of reasons (see project history).

This project has certainly had more than its fair share of logistical difficulties to contend with, and these helped fuel past delays. The following provides an illustration of some of the challenges faced in developing this project:

- *difficult geotechnical issues*

During negotiations for right-of-way, a long-time resident asked how we were going to move big equipment and set bridges in the boggy areas. Our current MDT geotechnical engineering staff looked at the boggy areas in more depth and realized that the previous geotechnical engineers had overlooked those areas and then called attention to the problems.

We are still evaluating how to design a road that will be stable on this unstable low-lying ground. As part of the research, we will be constructing a test section this summer to monitor the marl material's reaction to fill material (see attached schedule). This will give us critical geotechnical information for final construction.

- *New environmental requirements associated with newly listed endangered species.*

As a result of the bull trout being listed as a threatened and endangered species, we had to go back to the drawing board in 2000 and change the design of the creek to enhance bull trout habitat which, in turn, required us to purchase more right-of-way. The resource agencies required that the stream be taken out of the roadway ditch and placed in a meandering channel. We were unable to obtain the right-of-way in time for the fiscal year the project was scheduled (2001).

- *Very challenging right-of-way acquisition*

Not being able to come to mutually agreeable sale prices for necessary right-of-way effectively stalls the project since we can't build a project on land we don't own.

In addition, the new stream channel alignment also affected the design. And, the permitting agencies wanted to revisit the new stream channel design they had previously required. This resulted in pulling the project from FY 2002 for MDT to work out all these issues.

Simply stated, MDT had a design that when combining all the factors – new stream channel, structures, and soil condition – had a fifty-fifty chance of success...not the type of odds we like to pursue with tax dollars.

Currently we have the dilemma of funding, trying to get Swamp Creek back in line for funding and balancing it against other projects. This fall we had to weigh projects that have been in line for funding also, and establish priorities. We moved the Swamp Creek Project out until we could fund it, leaving Highway 93 projects south of Missoula, around Kalispell, and Evaro–Polson in. It was not an easy decision.

Attached are two letters about this project and a timeline of the project's development.

### **Summary**

Libby residents and local government have protested the move to place Swamp Creek out a few years for funding. They want the job sooner, primarily for reasons of safety and economic development. At Libby's *Dream it - Do it!* workshop on economic revitalization, the expert they brought in made the statement that there is nothing they can do in Libby until that lousy highway to the east is fixed.

They have been a professional group to deal with, especially Commissioner Rita Windom, and have the respect and sympathy of the district administrator, Loran Frazier.

### **Staff recommendation**

Continuing work to prepare the Swamp Creek project for contract. Final design is expected to be complete next winter. Once the project is ready to put out for bid, we will do our level best to see that any monies that become available (for example, if another project gets delayed) are funneled towards the Swamp Creek project.

### **Notes/discussion**

### **Commission action**

*Swamp Creek – East*  
NH 1-1(35)45, CN 1027  
*Project History*

- 11-12-1985 Project received preliminary PE
- 4-29-1986 Preliminary Field Review (PFR) report (Location Planning Report) sent out.
- 5-22-1987 Morrison & Maierle are retained for the design of the project.
- 1988 Draft environmental assessment (EA) goes out for review.
- 3-1-1988 Scope of work (design planning report) is completed.
- 8-17-1989 Final plan-in-hand (PIH) is held
- 4-4-1990 FONSI is signed.
- 5-31-1994 The first re-evaluation is completed and signed. This was initiated due to comments from landowners and USFS.
- 7-13-1995 to 2-15- 1996 Plans are updated from English to metric. Surveying is performed to look at alternate alignments.
- 12-10-1996 Channel change plans are discussed – they are now 10 years old and need to be updated.
- 2-10-1997 The typical section is changed to accommodate increased truck volumes (road must be stronger and wider).
- 7-22-1997 A new PIH is held.
- 11-1997 Morrison & Maierle are directed to make a grade change and two horizontal curve changes in order to meet design standards.
- 1997-2000 The plans are completed and most of the R/W is purchased. Between 1998 & mid-1999, the plans are believed to be complete and there is no funding for the project so it is placed in an in-active status until funding can be allocated for construction. By late 1999, funding is allocated and a letting date of November 2001 is set.
- 7-6-2000 A meeting is held with MDT, resource agencies, and consultant Carter-Burgess (C-B). C-B was retained to facilitate the channel change design. Funding is discussed – the project was put on hold until funding from TEA-21 was sufficient to place this project back on the letting schedule. It was further discussed the listing of the bull trout as a threatened and endangered species necessitated a redesign of the channel change.
- Summer of 2000 Fires during the summer delay surveying and design of channel change.
- 9/9/01 Final plan review held in Kalispell MDT conference room

After the final plan review it is discovered the geotechnical information for this project is inadequate and needs to be updated. MDT Geotechnical is notified and instructed to obtain the necessary information to complete the design.

- 12-21-2002 Updated Re-Evaluation is signed by FHWA.
- 5/13/02 Initial Section 404 permit application sent to Corps of Engineers.
- 6/3/02 Initial SPA 124 permit application sent to Montana Department of Fish, Wildlife and Parks.
- 7/1/02 Geotechnical Section sends out Supplement No. 1 to Geotech Report
- 7/24/02 Environmental Services holds a PFR for wetland development and future gravel pit on the USFS and privately-owned parcels.
- 7/26/02 Geotechnical Section sends out Supplement No. 2 to Geotech Report
- 8/1/02 Corps of Engineers states they will need 120 days of review after receiving final plans. Project won't make November letting as a result.
- 8/8/02 Internal meeting with Joel Marshik, Jim Walther and team. Team is told to have project ready for March 03 letting, with no new right-of-way and no alignment shifts.
- 9/26/02 Internal meeting to resolve options at all bridge/culvert locations.
- 11/13/02 Project moved out beyond our planning horizon (>FFY2007).
- 11/14/02 Geotechnical Section sends out Supplement No. 3 to Geotech Report
- 12/20/02 Geotechnical Section sends out Additional Geotechnical Evaluation memo.
- 12/24/02 Geotechnical Section sends out Supplement No. 3A to Geotech Report
- 5/21/03 Meeting held with FHWA at their request to discuss constructibility concerns.
- 5/30/03 Jim Walther officially pulls the plug on Swamp Creek for this fiscal year.
- 6/16/03 Meeting of delivery team at request of Jim Walther to chart out a process and time frame to deliver the project.
- 11/4/03 Supplement to Geotechnical Term Contract sent to consultant Terracon to begin work for additional geotechnical information.
- 11/7/03 Swamp Cr. East put out on OPX2 for overrides by MDT functional managers. Realistic ready date of October 1, 2005 is thus established.

Agenda item: DELEGATION

Staff person handling: Dave Galt

Date: February 19, 2004 – 2:30 pm

Item: **Morning Star Drive project**

---

### **Background**

CM 44 (14) Off-system paving project  
Control No. 4647

<b>Date</b>	<b>Action</b>
3/23/00	Northern Cheyenne Tribe's TERO office submitted a proposal to use MACI funds to develop and construct a street-paving project in Lame Deer.
10/4/01	Staff from Northern Cheyenne TERO, MDT's Glendive district, and MDT's transportation planning division met in Lame Deer to begin the process of developing a funding, construction and maintenance agreement. <ul style="list-style-type: none"><li>• NC inquired of the planning staff if MACI funds could be transferred to the BIA to construct this project. Planning committed to research and determine whether or not this would be feasible. No commitment was made.</li><li>• It was agreed that MDT would design this proposed project.</li></ul>
10/11/01	Transportation Commission approved the project.
11/29/01	District received an e-mail message from Planning that they discussed the project with the BIA; the BIA supported MDT developing the project and BIA doing actual construction.
12/17/01	The Transportation Planning Division requested comments on a draft MOU and project development, construction and maintenance agreement. <ul style="list-style-type: none"><li>• Draft agreement stated that MDT would be responsible for all activities necessary to develop and implement the project. The project would be funded using MACI funds. Federal participation is 86.58% and requires a local match of 13.42%.</li><li>• Draft agreement contained the following language under H. Bids and Contract Administration, item 2: <i>"Once all approvals, project specific agreement, right-of-way acquisition, clearances and permits are obtained, the state and local agency will mutually agree to who will construct the project. The decision to have MDT bid, award and administer the construction contract in accordance with normal MDT procedures including obtaining concurrence in the award from FHWA <u>or</u> have the BIA construct the project will be made".</i></li></ul>
1/16/02	Transportation Planning Division submitted an agreement to the Northern Cheyenne for signatures and seal.

- 4/23/02 Planning submitted request to formally program the project.
- 5/1/02 FHWA approved the project.
- 8/1/02 Northern Cheyenne and BIA attend a preliminary field review meeting in Lame Deer to develop the scope of work for the project. Major scope of work items will include placement of 8" gravel, 3" paving, curb and gutter installed on both sides of Morning Star Drive and a 5 foot sidewalk on the south side of Morning Star Drive.
- 9/23/02 FHWA approved the project environmental document (CAT EX)
- 11/6/02 MDT conducted a public meeting at the Lame Deer High School. At this public meeting, district staff informed attendees that a decision would be made sometime in the future as to whom will construct this project.
- 5/12/03 District staff received e-mail notification from Transportation Planning that they had submitted documents to MDT Legal to start the process of transferring the funds to the BIA to construct the project.
- 6/18/03 District staff completed development of project plans and submitted them to Preconstruction Engineer Carl Peil for signature and approval.  
District is holding approved plans pending a decision as to who will construct the project.
- 7/21/03 Letter to Mike Black, BIA from Carrie Braine and Geri Small from the Northern Cheyenne Tribe requesting a meeting to discuss the barriers that had arisen and to find solutions to overcome them so that the project could move forward.
- 9/4/03 Director Dave Galt writes letter to Carrie Braine indicating MDT will not proceed with further projects involving the BIA paving highways for two reasons: one, the BIA uses force account rather than the competitive bidding process, and two, historic difficulties relating to compliance with MDT's construction specifications.

Please see attached fact sheet provided by Carrie Braine, as well as various correspondence regarding the project.

**Staff recommendation**

Staff recommends MDT retain construction responsibility for this project.

**Notes/discussion**

**Commission action**

# **MONTANA AIR CONGESTION INITIATIVE PROJECT NORTHERN CHEYENNE INDIAN RESERVATION**

## **Fact sheet prepared by Carrie Braine**

The Northern Cheyenne Tribe presents to the Montana Transportation Commission the following facts that are of primary importance to the Tribe in the construction of the Montana Air Congestion Initiative Project awarded to the Northern Cheyenne Tribe. These facts contain the foundation of the Tribe's request for the Montana Transportation Commission to grant the request of the Tribe to utilize the Bureau of Indian Affairs for the construction this project.

- The Northern Cheyenne Tribe has established the need for and been selected to receive a Montana Air Congestion Initiative discretionary grant with the Department of Transportation for PM-10 reduction.
- The Tribe, its membership, Montana taxpayers, and the State of Montana would realize the greatest economic benefit from this project by entering into a Memorandum of Agreement with the Bureau of Indian Affairs for the construction of this project.
- By utilizing the road construction force account crew, hired by the Bureau of Indian Affairs, there should be substantial cost savings generated by the fact that this would not be a contract and therefore the Northern Cheyenne's 3% TERO fee would not apply to this project.
- The Bureau of Indian Affairs would not incur mobilization costs and there would be another cost savings to the project.
- The Bureau of Indian Affairs does not have a profit motive, so the costs incurred are actual expenses associated with construction.
- The +30% commonly added to the cost of constructing on an Indian Reservation by private contractors and known as "the Rez factor" would not be applicable to this project.
- The Northern Cheyenne Reservation has an unemployment rate that has not dropped below 50% in several decades.
- The Bureau of Indian Affairs, by federal law, strongly enforces a local Indian hiring preference in employment.
- The BIA "Force Account Crew" totals 28 employees, only one of which is a non-Indian.

- The BIA has quality controls, similar to those of MDOT, which ensure that projects meet or exceed the Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects.
- Tim Sauer, a Professional Engineer, has 14 years of experience in highway construction, ten years of which were spent with MDOT and he is the BIA Project Manager for all road construction projects on Northern Cheyenne managed by the BIA.
- BIA has constructed road projects on Indian Reservations in this area to meet or exceed the Federal Standard Specifications since the 1950's.
- BIA has an approximate per annum construction budget of \$15 million.
- The 13.42% hard dollar match for this proposed project will be met with Indian Reservation Roads construction funding, which also emanates from a federal source.
- The Northern Cheyenne Tribe strongly supports the concept of "Force Account" construction through the BIA for long-term accountability, cost effectiveness, the provision of a safe and economically feasible highway system within the Reservation, and for employment and training opportunity for Tribal members and other local Indians who live on the Northern Cheyenne Reservation.

Agenda item: 02-04-02

Staff person handling: Dave Galt

Date: February 19, 2004

Item: **WASHTO**

---

**Background**

Montana is hosting the annual meeting of the Western Association of State Highway and Transportation Officials this year. The event will be held in Kalispell on July 18-21 and you are cordially invited to attend. Registration packets are available upon request.

**Notes/discussion**

**Commission action**

Agenda item: 02-04-03

Staff person handling: Joel Marshik

Date: February 19, 2004

Item: **Battlefield East – value engineering proposal #2**

---

### **Background**

Chief Engineer Joel Marshik will provide an update of the project as promised in his email of January 23, 2004.

### **Summary**

On January 20, the department and FHWA completed a review of a second value engineering (VE) proposal for the Battlefield-East project. This second proposal was found to be equivalent to, or better than, the original awarded design in all essential functions. Accordingly, this proposal was accepted by MDT and concurred with by FHWA.

The approximate amount of the savings contained within this proposal is \$4.7 million. This second proposal, which is far superior to the first, came about as a result of meetings with the contractor, E.H. Oftedal and Sons, which the commission had encouraged after rejecting the first proposal.

### **Staff recommendation**

### **Notes/discussion**

### **Commission action**

Agenda item: 02-04-04

Staff person handling: Joel Marshik & staff (John Horton, Right-of-way Bureau Chief)

Date: February 19, 2004

Item: **US 93 corridor preservation – railroad property acquisition in Polson**

---

**Background**

MDT has a signed an agreement with Montana Rail Link, Inc., to purchase their operating rights and a portion of their right-of-way in Lake County, Montana to be used in part to construct the US 93 highway project and the Polson East highway project.

**Summary**

We have a signed agreement and deed from the railroad (see attached).

**Staff recommendation**

Legal and engineering staff recommends the commission ratify the agreement and designate the abandoned railroad right-of-way as a public highway, to be placed in the primary highway system for the allocation of state and federal funds.

**Notes/discussion**

**Commission action**

Agenda item: 02-04-05

Staff person handling: Joel Marshik

Date: February 19, 2004

Item: **Special speed zones**

---

### **Background**

Staff has performed traffic and engineering studies for the following:

- a. Secondary 348 - Phillipsburg West
- b. Secondary 233 - St. Joe Road
- c. Secondary 430 - Canyon Ferry Road East
- d. Secondary 430 - Canyon Ferry Road West
- e. Secondary 224 - Joplin
- f. Secondary 544 - Biddle to Boyes
- g. Secondary 398 - Broadus North

Please see the attachments for more detail.

### **Summary**

The appropriate local government concurs with the recommendations put forth by MDT.

### **Staff recommendation**

Staff recommends the commission approve the special speed zones as proposed.

### **Notes/discussion**

### **Commission action**

Agenda item: 02-04-06

Staff person handling: Jim Currie

Date: February 19, 2004

Item: **OPI summary 1998-2002**

---

## **Background**

Jim will explain the attached graphs.

The overall performance index (OPI) is calculated by combining various, weighted amounts of the ACI, MCI, RI and rutting indexes (see below), and converting the index to a 0-100 scale.

The OPI is calculated to provide one index, which describes the current “general health” of a route or system.

ACI = alligator crack index

The ACI is calculated by combining all load associated cracking and converting the index to a 0-100 scale.

MCI = the miscellaneous cracking index

The MCI is calculated by combining all non-load associated cracking and converting the index to a 0-100 scale.

RI = Rut Index

The RI is calculated by converting rut depth to a 0-100 scale. Rut measurements are taken approximately every foot and averaged into one-tenth mile reported depths.

## **Notes/discussion**

## **Commission action**

Agenda Item: 02-04-07

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Wetland mitigation**

---

### **Background**

This proposed wetland mitigation site on the Carl Rostad Ranch is near the town of Martinsdale. The ranch has several potential wetland and stream restoration project opportunities that could provide MDT with mitigation credits for Watershed #10 – Musselshell River Basin.

The US Army Corps of Engineers, Montana Fish Wildlife and Parks and Tom Hinz of the Wetland Legacy have visited the site and have identified four areas on the ranch that have potential for wetland/stream restoration. MDT is requesting funding in the amount of \$90,000 for the purposes of hiring a consultant to conduct a feasibility and evaluation of the various mitigation sites on the ranch. This will include \$15,000 for MDT forces and \$75,000 for the consultant to conduct the necessary biological and wetland studies to determine the potential for these mitigation sites and to develop conceptual wetland designs and a scope of work that may lead to eventual design and construction of mitigation on the Rostad Ranch. This project will be STP funded. The projects to be mitigated are:

<i>CN#</i>	<i>Project Name</i>	<i>Project ID</i>	<i># Acres to be mitigated</i>
4475	Martinsdale North	STPS 294-1(7) 27	3
4603	2 km E of Checkerboard	STPP 14-2(19) 64	1
4075	Shawmut West	STPP 14-3(15) 108	8

### **Staff recommendation**

Staff recommends the commission approve the wetland feasibility study project.

### **Notes/discussion**

### **Commission action**

Agenda Item: 02-04-08

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Pavement preservation projects**

---

### **Background**

MDT would like to add the following seven projects to the 2005 Pavement Preservation Program. These projects are based on the P3 distributional analysis and were coordinated with the districts and pavement management section staff.

<i>Project Name</i>	<i>Scope</i>	<i>Project Cost</i>
South of Bozeman-South	Seal & Cover	\$187,000
Hays – Ft Belknap	Overlay, Seal & Cover	\$2,095,000
Rudyard-Gilford	Overlay, Seal & Cover	\$1,601,000
3 <sup>rd</sup> St NW - GTF	Mill, Fill, Seal & Cover	\$790,000
57 <sup>th</sup> -2 <sup>nd</sup> Ave N/10 <sup>th</sup> Ave S-GTF	Mill, Fill, Seal & Cover	\$340,000
N of Browning-North	Overlay, Seal & Cover	\$1,355,000
Pinehills Intch-West	Mill and Overlay	<u>\$978,000</u>
		<u>\$7,346,000</u>

### **Staff recommendation**

Staff recommends the commission approve the addition of the above projects to the 2005 Pavement Preservation Program.

### **Notes/discussion**

### **Commission action**

Agenda Item: 02-04-09

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **U 1801-Daly Street (Main To 2<sup>nd</sup> Streets) – Walkerville  
Engineering Study**

---

### **Background**

The reconstruction of Daly Street has been the priority of the residents of Walkerville for many years. The Butte Transportation Coordinating Committee (TCC) and the Butte Council of Commissioners have endorsed a proposal to initiate an engineering study on a portion of State Urban Route 1801, more particularly Daly Street from Main Street to Second Street, to determine the extent of work required and financial feasibility for future improvements.

With the \$620,754 FFY 2004 allocation, Butte has a positive STP-Urban balance of approximately \$596,000. The cost of the engineering study is estimated at \$75,000.

Any future project on Daly Street will be considered based on funding availability following completion of Butte's existing STP-Urban funded projects which include the Montana Street/Rowe Road intersection project (scheduled for letting in February, 2004) and the Dewey Boulevard Extension project.

### **Staff recommendation**

Staff recommends the commission approve the addition of an engineering study for the purposes of making a recommendation, contingent on funding availability, for the future improvement of this portion of Daly Street.

### **Notes/discussion**

### **Commission action**

Agenda Item: 02-04-10

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Sidney STP-Urban projects**

U 10405 – Lincoln Avenue-Central to 6<sup>th</sup> St SW

U 10406 – Main Street-4<sup>th</sup> Avenue SE to 9<sup>th</sup> Avenue SE

---

### **Background**

Sidney lost its status as an urban area with the 2000 census and although it no longer receives a yearly allocation, \$289,432 in STP-Urban funds remain from previous allocations. The city of Sidney and the Richland County Board of Commissioners have selected two projects to utilize this urban fund balance. The Glendive district administrator has offered the services of the district staff to design these projects.

Project U 10405 – LINCOLN AVENUE-Central to 6<sup>th</sup> St. SW will provide for mill, overlay and installation of curb & gutter and is currently estimated at approximately \$99,000 for all phases of the project.

Project U 10406 – MAIN STREET – 4<sup>th</sup> Avenue S.E. to 9<sup>th</sup> Avenue S.E.-SIDNEY will provide for mill, overlay and installation of ADA handicap ramps and valley gutters on East Main Street from 4<sup>th</sup> to 9<sup>th</sup> Avenue and is currently estimated at approximately \$160,000 for all phases of the project.

Based on these estimates sufficient urban funds are available to complete these projects. Should costs exceed the urban funding available, the city will provide local funding to complete the projects.

### **Staff recommendation**

Staff recommends the commission approve the addition of the two projects in Sidney to the program.

### **Notes/discussion**

### **Commission action**

Agenda Item: 02-04-11

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Signal project in Billings at intersection of S Billings Blvd & Midland Rd**

---

### **Background**

The local officials of the Billings Technical Advisory Committee (TAC) and Policy Coordinating Committee (PCC) have nominated a signal project on the Urban Highway System using STP-Urban funding. Billings receives an annual STP-Urban allocation of \$1.9 million and has a current balance of \$4.3 million.

The proposed project will involve the design and construction of a signal at the intersection of South Billings Boulevard (State Urban Route U-1033) and Midland Road. Project construction costs are currently estimated at \$225,000. No estimates are available for right-of-way or utilities, but indications are that acquisitions and relocations will be minimal.

The City will complete a warrant study and project design either with local staff or consultant services and is seeking authorization to let the project and administer the construction contract.

### **Staff recommendation**

Staff recommends the Commission approve the addition of the project to the program and delegate its authority to let, award, and administer the contract to the City of Billings pending concurrence of the Administrator of the Engineering Division.

### **Notes/discussion**

### **Commission action**

Agenda Item: 02-04-12

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Enhancement projects on MDT right-of-way**

---

## **Background**

### *City of Missoula project in Missoula – Milwaukee RR Path*

This project will generally follow the abandoned Milwaukee Railroad between Reserve Street (US-93) and Russell Street (U-8105). The project will construct an asphalt paved bicycle/pedestrian path, approximately ten feet in width and 3500 feet in length. The project will include curb ramps, signage, benches and re-seeding of disturbed areas. There will be a review of existing boundary information, land appraisals and easement acquisitions from adjacent landowners.

### *Flathead County project in Flathead County – Path-Lakeside to Somers*

This project will begin at the southern terminus of the existing Somers rail trail and lead south to the hatchery in Lakeside. The proposed trail will generally follow the alignment of US-93 (N-5) and provide for further separation of pedestrians and bicyclists from the highway traffic. The path will be approximately eight feet in width and 2.57 miles in length. The path will include striping and signage on existing pavement and construction of new paved pathways on publicly held property and privately donated easements.

## **Summary**

With the addition of the *Milwaukee RR Path - MSLA project*, the City of Missoula will have obligated \$2,815,672 of the \$3,070,109 made available from CTEP.

With the addition of the *Path-Lakeside to Somers* project, Flathead County will have obligated \$2,406,176 of the \$2,715,309 made available from CTEP.

## **Staff recommendation**

Staff recommends the commission approve the enhancement projects.

## **Notes/discussion**

## **Commission action**

Agenda Item: 02-04-13

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Bridge projects on the secondary highway system**

---

### **Background**

State law requires that the commission approve reconstruction or alterations to “on-system” routes. The Hill and Sweet Grass County commissioners have proposed the following improvements:

#### *Hill County Bridge Project in Hill County*

This project is located on Secondary-255 at RP 18.600, the Wanke Bridge. Hill County has secured Treasure State Endowment Program Funds and matching county funds for reconstructing the Wanke Bridge that spans Sage Creek approximately 19 miles north of Rudyard. The scope is to replace the existing bridge. The new bridge is to be 75 feet long and 33 feet wide. Construction is scheduled to begin this spring. Hill County will administer the project and absorb any cost overruns.

#### *Sweet Grass County Bridge Project in Sweet Grass County*

This project is located on Secondary-478 at RP 0.20, the Howie Road Bridge. Sweet Grass County has secured Treasure State Endowment Program Funds and matching county funds for reconstructing the Howie Road Bridge that spans Big Timber Creek approximately 0.2 miles east of US 191. The scope is to replace the existing bridge. The new bridge is to be 74 feet long and 26 feet wide. Construction is scheduled to begin this spring. Sweet Grass County will administer the project and absorb any cost overruns.

### **Staff recommendation**

Staff recommends the commission allow the counties to make the improvements as outlined above.

### **Notes/discussion**

### **Commission action**

Agenda Item: 02-04-14

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Changes to previously approved bridge projects**

---

## **Background**

### *Big Muddy Creek-Bynum*

The commission on May 7, 2003 previously approved this project for hazard elimination funding with the 2002 Safety Engineering Improvement Program. The bridge over Big Muddy Creek is located on US 89 (Primary 3) near reference point 55.7, on the northern edge of Bynum. This long, narrow bridge is located between two reverse curves. It has been a maintenance problem for the district requiring frequent repair or replacement of broken timber stringers. The total project cost is estimated at \$2 million. The Safety Management section allocated \$1.4 million towards the project in accordance with the cost/benefit analysis. The Bridge bureau would like to supplement the \$1.4 million in safety funds with \$600,000 in bridge funds in order to move the project forward.

### *Big Powder River-3km E Powderville*

The commission previously approved this project on July 17, 2003. The Powder River County commissioners originally wanted to rehabilitate the bridge at a construction cost of \$700,000 because they thought the existing bridge deck would not last until the bridge could be replaced given the tentative construction plan. The County has since agreed to wait for construction of a new bridge. A bridge replacement project is estimated at \$2 million for construction of which \$1.5 million is for the bridge and \$500,000 for roadwork to improve the alignment of the bridge. This project is now proposed to be re-scoped to a two-lane bridge. Presently, this is a single lane bridge. The county believes a two-lane structure is necessary for current and future traffic demands.

## **Staff recommendation**

Staff recommends the commission approve the bridge projects.

## **Notes/discussion**

## **Commission action**

Agenda Item: 02-04-15

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Emergency Relief project – Milk River Bridge west of Chinook**

---

### **Background**

On November 18, 2003 a flatbed trailer hauling a bulldozer eastbound on US 2 hooked the abutment on the southwest corner of the Milk River Bridge located 12 miles east of Havre, Montana. The blade of the bulldozer severed an end post supporting the overhead truss resulting in the catastrophic collapse of the west span of the bridge.

Under provisions of Title 23, U.S.C., Section 125, the department has requested federal emergency relief funds to assist in the cost of both the temporary repair and the final reconstruction. We are applying for \$2,630,000 in federal emergency relief (ER) funds with the state matching funds amounting to \$369,000 for a total cost of \$2,999,000.

Since the bridge was a catastrophic failure, our request includes costs for two phases. Phase one establishes a detour and a temporary bridge repair to restore essential travel on US 2. Phase two replaces the temporary bridge with a permanent structure. MDT is pursuing recovery of the cost of the repair from the responsible party. Any funds recovered will be reimbursed to the Federal-aid Emergency Relief Program.

Because of the emergency nature of this project, the department set in motion an accelerated design and build process for the temporary repair. Within days of the event, the project had been programmed in the amount of \$192,000. The temporary repair included the removal and replacement of the damaged truss and the upgrade and maintenance of the detour road. The temporary structure was completed and open to traffic on December 3.

The permanent restoration project is under design with a scheduled construction letting for the spring of 2004. Because ER funds are disbursed by Congress and are dependent upon availability of funds on a national level, MDT will fund the repair with national highway (NH) funds until we secure federal ER funding.

### **Staff recommendation**

Staff recommends commission approve the interim use of NH funding to make repairs to the Milk River Bridge. Staff is also recommending that the commission approve MDT's request for \$2.63 million in ER funding.

### **Notes/discussion**

### **Commission action**

Agenda Item: 02-04-16

Staff Person Handling: Sandra Straehl

Date: February 19, 2004

Item: **Safety project – Big Sky Spur (MT 64)**

---

### **Background**

With the 2001 hazard elimination program (HEP), the safety management staff submitted a project to install guardrail on the Big Sky Spur (MT 64) about a half-mile west of US 191 for a cost estimate of \$16,452 under project STPHS 81064(6). With the 2002 HEP, another guardrail need was identified about 2 miles west of US 191 for \$33,307 under project STPHS 81064(7).

MDT chose to accelerate the implementation, combine both projects and pursue construction under a maintenance contract. In the fall of 2003, the contract was awarded to OMO Construction. The bid prices were \$36,500 for the first site and \$50,350 for the second site. In previous commission action, the department was delegated the authority to enter into contracts for work not exceeding \$50,000. In this case the department should have received commission approval for STPHS 81064(7), which upon award exceeded the \$50,000 limit.

### **Staff recommendation**

The purpose of this informational item is to inform the commission that the second site should have received formal approval by the commission since the project exceeded \$50,000.

### **Notes/discussion**

### **Commission action**

Agenda item: 02-04-17

Staff person handling: Dave Galt

Date: February 19, 2004

Item: **Process for revocation of motor carrier permit privileges**

---

### **Background**

The draft policy (attached) prescribes a process whereby MDT may make the decision to revoke the permit privileges of a commercial motor carrier based on an unacceptable history of violations. The department's decision may be appealed to the Transportation Commission by the carrier. At its discretion, the commission may uphold the department's decision or take other action.

### **Summary**

Staff would like to discuss the draft policy and establish the commission's position regarding the process and the role each entity will play.

### **Notes/discussion**

### **Commission Action**

02/04/2004

*Draft policy for  
Revocation of special permit privileges*

**Purpose:** The purpose of this Policy is to establish the process by which revocation of a commercial carrier's special permit privileges may occur.

**Definition of Commercial Carrier:** Within the context of this policy, commercial carrier means any individual, business, company, co-op or corporation using a vehicle for commercial purposes.

**Scope:** Revocation of special permit privileges may occur as a result of violation of the laws of Montana, violation of conditions attached to a permit, or violation of regulations established by the Department of Transportation (MDT).

**Appellant Authority:** The Montana Transportation Commission shall be the appellant authority regarding revocation of special permit privileges.

**Revocation Decision:** MDT may decide to take revocation action when, in MDT's opinion, violations have occurred sufficient to justify revocation of special permit privileges in the best interest of the traveling public.

**Revocation Process:** After deciding to take revocation action, MDT shall provide the commercial carrier with a letter of revocation. The letter of revocation shall:

- (a) Notify the carrier of MDT's decision to revoke the carrier's special permit privileges.
- (b) Clearly state the reason or reasons for the revocation decision.
- (c) Advise the carrier of the right of appeal before the Montana Transportation Commission.
- (d) Advise the carrier of the time, date and location of the Montana Transportation Commission meeting at which the carrier may present an appeal.
- (e) Advise the carrier that revocation of the carrier's special permit privileges will become effective five calendar days after the date of the Montana Transportation Commission meeting that appears in the letter, unless the Montana Transportation Commission votes to take other action.
- (f) Advise the carrier of the duration of the revocation, consistent with 18.8.902 of the Administrative Rules of Montana.
- (g) Advise the commercial carrier that operating without a special permit when a special permit is required is illegal under Montana law.

Agenda item: 02-04-18

Staff person handling: Joel Marshik

Date: February 19, 2004

Item: **Certificates of completion**

---

**Background**

Attached are certificates of completion for October, November, December 2003 and January 2004.

**Summary**

<i>Month</i>	<i>Original contract amount (monthly total)</i>	<i>Final payment amount (monthly total)</i>
October 2003	\$ 14,614,847	\$ 15,147,523
November 2003	\$ 6,858,572	\$ 6,432,872
December 2003	\$ 16,284,632	\$ 16,588,998
January 2004	\$ 17,271,261	\$ 17,448,107
		<b>\$ 55,617,500</b>

**Staff recommendation**

Staff recommends approval.

**Notes/discussion**

**Commission action**

Agenda item: 02-04-19

Staff person handling: Joel Marshik

Date: February 19, 2004

Item: **Work/change orders**

---

### **Background**

Attached are work orders for October, November and December 2003.

### **Summary**

<i>Month</i>	<i>Total</i>
October 2003	\$227,524.83
November 2003	\$420,221.05
December 2003	\$ 96,768.37
	<hr/> <b>\$744,514.25</b> <hr/>

### **Staff recommendation**

Staff recommends approval.

### **Notes/discussion**

### **Commission action**

Agenda item: 02-04-20a

Staff Person Handling: Joel Marshik

Date: February 19, 2004

Item: **Liquidated damages – NH 5-2(117)61 + Ties – Polson N.**

---

**Background**

JTL Group, Inc. of Kalispell, MT. overran the contract time by 16 days. On October 23, 2003, a letter was sent to the contractor notifying them of the overrun. Their response initiated an audit of contract time. The initial overrun of 16 days stands as the recommendation from the Missoula District. JTL Group, Inc. have been contacted and informed that they may appear before the commission, but are not allowed to produce documentation other than what was submitted. (See attached letters and project audit review).

The contractor's response stated that they would appear before the commission to argue their position.

**Summary**

Award date:	May 14, 2002	Proceed date:	June 17, 2002
Work began:	July 10, 2002	Work completed:	July 15, 2003
Contract time:	60 working days	Work extensions:	3 days
Time used:	79 days	Overrun:	16 days

**Staff recommendation**

We recommend assessing 16 days at \$ 1,397.00 per day for a total of \$ 22,352.00.

**Notes/discussion**

**Commission action**

Agenda item: 02-04-20b

Staff Person Handling: Joel Marshik

Date: February 19, 2004

Item: **Liquidated damages – STPP 22-2(15)30 Plentywood-West**

---

### **Background**

S. K. Construction, Inc. of Helena, MT., overran the contract time by one day. We wrote the contractor on September 25, 2003 of the overrun of contract time (copy attached). They were informed they had 30 days in which to respond if they intended to request a waiver from the commission. They were also informed that if a written reply was not received within 30 days, the liquidated damages would stand. As there was no response from the contractor, our recommendation is as noted below.

### **Summary**

Award date:	July 6, 2000	Proceed date:	August 7, 2000
Work began:	July 19, 2000	Work completed:	October 18, 2002
Contract time:	200 working days	Work extensions:	33 days
Time used:	234 days	Overrun:	1 day

### **Staff recommendation**

We recommend assessing 1 day at \$ 2,303.00 per day for a total of \$ 2,303.00

### **Notes/discussion**

### **Commission action**

Agenda item: 02-04-20c

Staff Person Handling: Joel Marshik

Date: February 19, 2004

Item: **Liquidated damages – STPHS-STPS-STPU 25(27) – 1 Mile E. of Helena**

---

### **Background**

S.K. Construction, Inc. of Helena, MT., overran the contract time by one day. We wrote the contractor on December 29, 2003 of the overrun of contract time (copy attached). They were informed they had 30 days in which to respond if they intended to request a waiver from the Commission. They were also informed that if a written reply was not received within 30 days, the liquidated damages would stand. As there was no response from the contractor, our recommendation is as noted below.

### **Summary**

Award date:	November 6, 2000	Proceed date:	April 16, 2001
Work began:	March 26, 2001	Work completed:	March 28, 2003
Contract time:	120 working days	Work extensions:	28 days
Time used:	149 days	Overrun:	1 day

### **Staff recommendation**

We recommend assessing one day at \$ 1,397.00 per day for a total of \$1,397.00.

### **Notes/discussion:**

### **Commission action:**

Agenda item: 02-04-21

Staff person handling: Dave Galt

Date: February 19, 2004

Item: **Commission discussion and public comment**

---

## **Background**

### *1. Guidelines for award of bids*

The commission adopted “guidelines for award” which allow for consideration of bids that exceed estimates. The department also uses an internal process to review as-read low bids to determine whether the estimate needs to be revised based on factors submitted by an apparent low bidder. If the estimate is raised after the fact and the dollar amount of the as read comes within the guidelines, we recommend award. Discuss the practical implementation of the guidelines and possible adjustments.

### *2. Transition*

With the retirement of long-time Commission Secretary Colleen Stephenson, we are experiencing changes in the way we do business, for example, recording the meetings in lieu of Colleen’s superb almost-verbatim minute taking. As we go through this transitional period, are there any suggestions or ideas you’d like to put forth?

## **Notes/discussion**

Agenda item: 02-04-22

Staff person handling: Dave Galt

Date: February 19, 2004

Item: **Schedule next commission meeting**

---

### January 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

### February 2004

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						

### March 2004

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

### April 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

### May 2004

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

### June 2004

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

### July 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

### August 2004

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

### September 2004

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

### October 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

### November 2004

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

### December 2004

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

# Transportation Commission meeting

February 19, 2004

---

## Addendum to agenda

---

### **Delegations**

1. *Morning Star project* – Carrie Braine requested this item be rescinded from agenda
2. *N Meridian Road in Kalispell* – supplemental information regarding funding options
3. Additional delegation from JTL to discuss liquidated damages will appear before the commission at *9am*

### **Monthly business**

4. Letting lists – request approval of project slated for upcoming lettings

# North Meridian Road in Kalispell

## Options & Impacts

### Available Funding:

FFY 2004 Urban (STPU) Balance (\$455,604/yr allocation)	\$2,880,662	
Less STPU \$\$ Programmed for R/W-12/30/03	(775,914)	
Less STPU \$\$ Programmed for IC-10/24/03	(1,550,084)	
Plus Air Quality (MACI) Funding	1,118,086	
Less MACI \$\$ Programmed for R/W-12/30/03	<u>(1,118,086)</u>	
<b>Total</b>	<b>\$ 554,664</b>	(a)

### Total Construction Estimate (1/30/04):

Phase I – Idaho to Three Mile Rd	\$5,228,020	(b)
Less Local Storm Drain/Water Costs	(537,228)	(c)
Less FWP Storm Drain Costs	<u>(39,530)</u>	(d)
Subtotal Phase I (MDT costs)	4,651,262	(e)
Phase II – Three Mile Rd to US 93	1,694,085	(f)
Less Local Storm Drain Costs	--	
<b>Total</b>	<b>\$6,345,347</b>	(g)

OPTIONS	Borrow amount	Borrow years	Borrow Policy Conformance		IMPACTS		
			Within 5-yr limit (\$2.3 million)	Borrowing < \$4.1 million (1/2 of the urban allocation)	Will other urban area projects be delayed?	Overall MDT program Impact*	Other observations
<b>A.</b> Let entire project (FFY 2004)	\$5,791,000 (g - a)	12.7	No Exceeds	No, exceeds 1/2 the allocation by \$1,691,000	None	\$1,800,000	Establishes a precedent that violating the Commission Urban Borrow Policy is ok
<b>B.</b> All utility work & Phase I (FFY 2004)	\$4,097,000  (e - a)	9	No Exceeds	Yes	None	\$135,000	Phase II delayed until undetermined date, costs could increase over time, leaves awkward transition at Three Mile Rd intersection for N. Meridian Rd traffic, sets a precedent that violating the policy is ok
<b>C.</b> All utility work (FFY 2004) & Phase I (FFY 2005)	\$3,641,000  (Option B less add'l allocation- \$455,600)	8	No Exceeds	Yes	Bozeman-S. 19 <sup>th</sup> St Miles City-Stower St (possibly)**	Less federal funds would be obligated in the Urban Program in FFY 2004 than anticipated & more in FFY 2005 (about \$4 million)	Same as Option B
<b>D.</b> All utility work & Phase II (FFY 2004)	\$1,140,000  (f - a)	2.5	Yes Within	Yes	None	Less federal funds would be obligated in the Urban Program in FFY 2004 than anticipated (about \$2.9 million)	Phase I delayed until undetermined date, costs could increase over time, exacerbates current issues at Three Mile Rd intersection for N. Meridian Rd traffic
<b>E.</b> Delay project until funding is available	None	0	Yes Within	Yes	None	The project would be delayed about 13 years based on current project estimate & funding availability	Overall project costs likely to increase during this timeframe due to inflation, potential changes in federal requirements, outdated environmental document

\* Impact to MDT's overall program based on the November 2003 MDT Tentative Construction Program (TCP). A positive number indicates a project of an equivalent amount that's currently in the program would have to be delayed.

\*\* If actual costs of N. Meridian Rd exceed the current estimate by more than \$204,000, the Miles City project could not be let in the same fiscal year without advancing more than half the urban allocation.

## PROJECTS PROPOSED FOR LETTING OF FEBRUARY 26, 2004

UNIFORM NO.	PROJECT NUMBER	DISTRICT FIN ADMIN	LOCAL DESIGNATION	TYPE OF CONSTRUCTION	LENGTH MILES
4914	IM 0002(708)		STATEWIDE PARKING AREA UPGRADE	VAULT TOILETS, SIDEWALKS	
4261	IM 90-3(89)171	1 MSLA.	BANK STABILIZATION-PHOSPHATE	EROSION REPAIR/BANK STABILIZATION	
4689	IM-STPHS 90-3(94)135	1 MSLA.	BEARMOUTH-E & W	S & C, MEDIAN RAIL	15.3
4197	%IM 15-2(74)122	2 BUTTE	ROCKER SCALE SITE	MCS SCALE SITES	
4365	IM 90-7(80)369	5 BLGS.	BOULDER RIVER-EAST	MILL, FILL, OVERLAY, S & C	8.5
0594	NH 1-3(36)234 F	3 G.FLS.	MERIWETHER-EAST	RECONSTRUCTION	13.1
4833	NH 99-1(7)18	4 GLDV.	29 KM NORTH OF MALTA-NORTH	LEVEL, OVERLAY, S & C	11.1
4842	NH 14-4(19)138	5 BLGS.	LAVINA-WEST	PMS OVERLAY, S & C	8.6
4367	NH 16-1(45)1	5 BLGS.	MAIN ST-BILLINGS HTS	MILL, FILL, OVERLAY, S & C	3.6
1811	@STPP-STPE 49-1(16)0	2 BUTTE	DILLON - NE	RECONSTRUCTION, SIDEWALKS	1.8
1809	@STPP 89-1(8)2	2 BUTTE	DILLON - NO. MONTANA ST.	RECONSTRUCTION	0.7
4473	%STPS 276-1(7)0	2 BUTTE	ROCKER INTERCHANGE - NORTH	RECONSTRUCTION	1.2
2840	*STPS 261-1(8)9	4 GLDV.	14 KM NORTH OF WIBAUX-NORTH	RECONSTRUCTION	4.5
4705	STPHS 5-3(84)99	- MSLA.	2000-D1-ELECTRICAL	LUMINAIRES	
4244	BR 306-1(11)1	- BLGS.	KEYSER CR-2 KM W COLUMBUS	STR & APPRS	
4188	BR 9018(19)	- G.FLS.	ROCKY COULEE-33 KM N CUT BANK	STR & APPRS	
4173	CM-STPU 1805(10)	- BUTTE	MONTANA & ROWE RD - BUTTE	SIGNALS, INT IMPVMTS, CURB & GUTTER, STORM DRAIN	0.1
4354	SFCS 251-2(5)32	- GLDV.	DANIELS CO LINE-NORTH	LEVEL, OVERLAY, S & C	6.3
4356	*SFCS 261-1(6)0	- GLDV.	WIBAUX-NORTH	LEVEL, OVERLAY, S & C	8.9

\*, @, % - TIED FOR CONTRACT  
ADVERTISING JANUARY 29, 2004

## PROJECTS PROPOSED FOR LETTING OF MARCH 25, 2004

UNIFORM NO.	PROJECT NUMBER	DISTRICT FIN ADMIN	LOCAL DESIGNATION	TYPE OF CONSTRUCTION	LENGTH MILES
4875	%IM 15-8(60)354	3 G.FLS.	SHELBY - N & S	PMS OVERLAY, S & C	11.3
5147	IM 94-3(58)85	4 GLDV.	FORSYTH - EAST & WEST (WB)	MILL, OVERLAY, S & C, GUARDRAIL	18.5
2016	NH-PLH 7-1(93)68 F	1 MSLA.	N OF STEVENSVILLE WYE-FLORENCE	RECONSTRUCT	6.0
4042	NH-STPE 5205(18)	3 G.FLS.	NORTHEAST BYPASS-GREAT FALLS	RECONSTRUCTION	2.0
4913	NH-STPP 0002(709)	5 BLGS.	D5-SIGNAL UPGRADES	SIGNAL UPGRADE	
5109	#STPP 14-1(16)0	2 BUTTE	TOWNSEND - E	S & C	6.4
4179	*STPP-CM 50-2(37)88	2 BUTTE	19TH & MAIN - BOZEMAN	INT IMP, SIGNALS	
4377	STPP 43-1(24)15	5 BLGS.	HILGER-EAST	MILL, OVERLAY, S & C	11.7
4466	STPS 269-1(28)1	1 MSLA.	TURN BAYS NORTH OF HAMILTON	TURN LANE, INTERSECTION REALIGNMENT, CULVERT	0.4
5119	@STPS 259-1(5)0	2 BUTTE	NEWLAN CREEK ROAD	S & C	4.6
5120	#STPS 282-1(7)0	2 BUTTE	MONTANA CITY - SOUTH	S & C	3.5
5122	@STPS 360-1(4)0	2 BUTTE	WHITE SULPHUR SPRINGS - NW	S & C, GUARDRAIL	9.1
5161	STPS 335-1(14)0	4 GLDV.	GLENDIVE - SOUTH	LEVEL, OVERLAY, S & C	8.2
4713	*STPHS 1299(21)	- BUTTE	2000-SIGNING & ELEC-BOZEMAN	SIGNALS	
4704	*STPHS 16(47)	- BUTTE	2000 - D2 - SIGNING & ELECTRICAL	CURBS, SIGNS, SIGNAL UPGRADE & PHASING	
4230	BR 86-1(25)3	- BUTTE	BRIDGER CR-3 KM NE BOZEMAN	STR & APPRS	
4538	BR 81001(3)	- BUTTE	FRYING PAN GULCH-8 KM N DILLON	STR & APPRS	
4240	BR 511-1(5)6	- GLDV.	WHITETAIL CR-WHITETAIL	STR & APPRS	
2795	BR 9025(34)	- G.FLS.	MISSOURI RIVER - CRAIG	STR & APPRS	
4563	CM 5215(1)	- G.FLS.	13TH ST S-10TH TO 21ST - GTF	RECONSTRUCTION/OVERLAY, SIDEWALKS, BIKE PATH	0.8
4647	CM 44(14)	- GLDV.	OFF SYSTEM PAVING - LAME DEER	PMS OVERLAY, S & C, SIDEWALK, CURB & GUTTER	
5233	%ER 15-8(59)356	- G.FLS.	I-15 SLIDE - S OF SHELBY	EXTEND PIPES, FLATTEN SLOPES, FENCING	

4856	SFCS 424-1(5)6	- MSLA.	JCT S-548 - NORTH	MILL, OVERLAY, SIGNING	7.7
4594	SFCS 298-1(10)8	- BLGS.	13 KM S OF BIG TIMBER-SOUTH	S & C	7.7
4595	SFCS 306-1(12)2	- BLGS.	4 KM N OF COLUMBUS-NORTH	S & C	3.9

\* , @, #, % - TIED FOR CONTRACT  
 ADVERTISING FEBRUARY 26, 2004

## PROJECTS PROPOSED FOR LETTING OF APRIL 29, 2004

UNIFORM NO.	PROJECT NUMBER	DISTRICT FIN ADMIN	LOCAL DESIGNATION	TYPE OF CONSTRUCTION	LENGTH MILES
4797	*IM 90-6(104)313	2 BUTTE	BOZEMAN - EAST	S & C	4.2
5100	@IM 115-2(8)0	2 BUTTE	BUTTE - WEST	MILL, FILL, OVERLAY, S & C	1.4
4489	NH 1-1(68)20	1 MSLA.	ROCK SCALING-WEST OF LIBBY	ROCK SCALING, CONCRETE BARRIER	
2025	NH 57-5(24)212 F	4 GLDV.	JORDAN-EAST	RECONST & STRUCTURES	8.0
2013	NH 57-5(27)159	4 GLDV.	MOSBY REST AREA	REST AREA	
5115	*STPP 84-1(10)0	2 BUTTE	NORRIS - NORTHEAST	S & C	12.1
5141	STPP 66-2(5)11	3 G.FLS.	BLAINE COUNTY LINE - NORTH	PMS OVERLAY, S & C	5.0
4668	STPX 1(45)	- BUTTE	BIG HOLE GRAZING ASSOC-WETLAND	WETLAND DEVELOPMENT	
4645	STPX-STPS-BR-IM 56(50)	5 BLGS.	WAGNER PIT WETLANDS	WETLAND DEVELOPMENT	
4476	#STPS 324-1(4)13	2 BUTTE	GRANT - WEST	RECONSTRUCTION	8.7
4865	xSTPS 346-1(6)1	2 BUTTE	MANHATTAN-DRY CREEK	LEVEL, OVERLAY, S & C, GUARDRAIL	6.7
5121	xSTPS 346-1(9)0	2 BUTTE	MANHATTAN INTCH - EAST	OVERLAY, S & C	1.3
4477	STPS 358-1(3)18	3 G.FLS.	PONDERA/GLACIER CNTY LINE SLIDE	SLIDE CORRECT	
3598	STPHS 5-2(99)37	- MSLA.	TURN BAYS - NINEPIPE	WIDEN, TURN BAYS	0.7
4424	STPHS 0002(645)	- MSLA.	1998-D1-SLOPE FLAT & G'RAIL	SLOPE FLATTEN, GUARDRAIL	
4709	STPHS 81-1(12)36	- BLGS.	2000 - GUARDRAIL - 35 KM E DENTON	CHEVRONS, SIGNS, GUARDRAIL	
4541	BR 9017(13)	- GLDV.	WOODY CR-43 KM NE JORDAN	STR & APPRS	
5056	CM 12003(2)	- MSLA.	7TH-KARROW TO BAKER-WHITEFISH	PMS OVERLAY, S & C	0.7
5092	*CM 1204(3)	- BUTTE	PEACH-N 7TH TO ROUSE-BOZEMAN	S & C	0.7
5094	CM 1215(3)	- BUTTE	HIGHLAND-KAGY TO MAIN-BOZEMAN	MILL, FILL, S & C	1.7
5095	@CM 1807(8)	- BUTTE	CONTINENTAL DR-BUTTE	MILL, PMS OVERLAY	3.7
5125	%CM 5203(11)	- G.FLS.	4TH AVE SW-6TH TO 3RD ST-GTF	S & C	0.4
5126	%CM 5224(2)	- G.FLS.	5TH ST-PARK TO 10TH AVE S-GTF	MILL, FILL, OVERLAY, S & C	1.3
5127	%CM 5225(4)	- G.FLS.	PARK GARDEN-FOX FRM TO 14TH-GF	S & C	0.5

5168	&CM 1012(3)	- BLGS.	WICKS-GOVERNORS TO MAIN-BLGS	MILL, PMS OVERLAY	1.7
5169	&CM 1029(2)	- BLGS.	6TH AVE N-N 7TH TO N 27TH-BLGS	MILL, PMS OVERLAY	1.3
4443	SFCX-STPHS 56(54)	- BLGS.	SAFETY IMPRVMT-OLD US 312	WIDEN, STR, GUARDRAIL, SLOPE FLATTEN	2.2
4318	#SFCS 324-1(2)21	- BUTTE	15 KM WEST OF GRANT- SW	PMS OVERLAY, S & C	6.5
5427	^SFCU 8112(2)	- MSLA.	EAST MISSOULA HWY - MSLA	PMS OVERLAY, S & C	1.6
5426	^SFCU 8117(5)	- MSLA.	HIGGINS AVE - MSLA	MILL, FILL, S & C	1.5

*\*, @, #, %, ^, &, x - TIED FOR LETTING  
ADVERTISING APRIL 1, 2004*

## PROJECTS PROPOSED FOR LETTING OF MAY 27, 2004

UNIFORM NO.	PROJECT NUMBER	DISTRICT FIN ADMIN	LOCAL DESIGNATION	TYPE OF CONSTRUCTION	LENGTH MILES
4960	NH 1-6(50)383	3 G.FLS.	14TH AVE SIGNAL-HAVRE	SIGNALS	
4783	STPP 7-2(39)91	1 MSLA.	BROOKS STREET-MISSOULA	MILL, OVERLAY, S & C	2.1
5110	STPP 14-1(17)11	2 BUTTE	DEEP CREEK CANYON	MILL, OVERLAY, S & C	12.2
2461	STPP 18-2(14)31	4 GLDV.	ROCK SPRINGS-N & S	RECONST & STRUCTURE	11.6
4836	STPP 27-2(16)36	4 GLDV.	BAKER-N	LEVEL, OVERLAY, S & C, GUARDRAIL	19.2
4138	STPS 323-1(16)25	4 GLDV.	40 KM S OF EKALAKA-SOUTH	RECONSTRUCTION	12.3
2950	*STPU 6701(7)	- MSLA.	N MERIDIAN-THREE MILE TO IDAHO	RECONSTRUCTION, SIDEWALKS, BIKE PATH	0.7
2950	*STPU 6701(8)	- MSLA.	N MERIDIAN - US 93 TO THREE MILE	RECONSTRUCTION, SIDEWALKS, BIKE PATH	0.5
2950	*STPU 6701(9)	- MSLA.	N MERIDIAN - LIGHTING & SIGNAL	LIGHTING, SIGNALS	
4361	@STPU 8006(2)	- GLDV.	STREVELL AVE - MILES CITY	WIDEN, REHAB	0.2
4363	@STPU 8009(3)	- GLDV.	STOWER ST - MILES CITY	NEW CONSTRUCTION & WIDEN/REHAB	
4362	@STPU 8013(2)	- GLDV.	WILSON ST - MILES CITY	WIDEN, REHAB, CURB & GUTTER, SIDEWALKS	0.5
4022	STPHS-STPP 52-2(28)51	1 MSLA.	MT 35/SEC 317 INT - KALISPELL	WIDEN, TURN LANES, SIGNALS	
3995	BR 384-1(12)0	- BLGS.	BIGHORN RIVER - HARDIN	STR & APPRS	
4544	BH 9029(32)	- BUTTE	MADISON RIVER-52 KM S ENNIS	STR REHAB	
5058	CM 6714(5)	- MSLA.	CENTER ST - KALISPELL	PMS OVERLAY, S & C	1.2
5059	CM 6715(2)	- MSLA.	2ND-MERIDIAN TO 3RD AVE E-KAL	PMS OVERLAY, S & C	1.1
4497	CM 8103(12)	- MSLA.	39TH & RESERVE SIGNAL - MSLA	SIGNAL INSTALLATION	
5061	CM 8116(6)	- MSLA.	MOUNT AVE-RUSSELL TO HILL-MSLA	PMS OVERLAY, S & C, BULB-OUTS	1.0
5063	CM 8121(2)	- MSLA.	ARTHUR AVE-SOUTH TO S 6TH-MSLA	PMS OVERLAY, S & C	1.0
4180	CM 1899(13)	- BUTTE	1999-SIGNAL UPGRADE-BUTTE	SIGNALS, INT IMPVTS	
4491	CM 7403(6)	- BUTTE	5TH & PARK-LIVINGSTON	INTERSECTION IMP, SIGNALS	

5096	CM 7406(5)	- BUTTE	CHINOOK TO K ST - LIVINGSTON	PMS OVERLAY, S & C	0.7
5097	CM 7410(2)	- BUTTE	GEYSER-PARK TO F ST-LIVINGSTON	PMS OVERLAY, S & C	1.3
4462	CM 5802(6)	- G. FLS.	CUSTER (WASHINGTON- EAST)-HELENA	RECONST & STRUCTURE	0.6
5130	CM 5805(9)	- G. FLS.	BENTON-CUSTER TO WILDER-HELENA	PMS OVERLAY, S & C, CURB & GUTTER	1.2
5128	CM 5707(3)	- G.FLS.	10TH ST-1ST TO 5TH AVE-HAVRE	PMS OVERLAY, S & C	0.3
5129	CM 5709(7)	- G.FLS.	13TH ST-MONROE TO 1ST-HAVRE	PMS OVERLAY, S & C	0.4
5131	CM 5815(5)	- G. FLS.	CRUSE-PARK TO 11TH AVE-HELENA	PMS OVERLAY, S & C	0.9
5170	CM 6901(3)	- BLGS.	1ST AVE-MAIN TO 12TH-LAUREL	MILL, FILL, S & C	1.0
5171	CM 6906(3)	- BLGS.	MARYLAND- WASHINGTON/8TH- LAUREL	S & C	0.9
5430	SFCU 5210(16)	- G.FLS.	2ND AVE N-38TH TO 57TH-GTF	MILL, OVERLAY, S & C	1.2

\* , @ - TIED FOR CONTRACT  
ADVERTISING APRIL 29, 2004

## PROJECTS PROPOSED FOR LETTING OF JUNE 24, 2004

UNIFORM NO.	PROJECT NUMBER	DISTRICT FIN ADMIN	LOCAL DESIGNATION	TYPE OF CONSTRUCTION	LENGTH MILES
4323	NH-CM 60-2(62)91	3 G.FLS.	10TH AVE S-26TH TO 38TH-GTF	MILL, FILL, OVERLAY, SIDEWALKS, LANDSCAPING	1.0
5152	NH 22-3(8)81	4 GLDV.	CULBERTSON - NORTH	LEVEL, OVERLAY, S & C, GUARDRAIL	7.3
4832	NH 22-3(9)88	4 GLDV.	CULVERT - N OF CULBERTSON	CULVERT REPLACEMENT	
4479	STPS 233-1(8)22	3 G.FLS.	40 KM N OF HAVRE-NORTH	RECONSTRUCTION	9.1
2974	STPS 310-2(5)26	5 BLGS.	MUSSELSHELL CO. LINE-NW	RECONSTRUCTION	7.3
4433	STPHS 205-1(26)26	- BUTTE	SAFETY IMPRVMT-W OF BOZEMAN	TURN LANES, FLASHERS, LUMINAIRES	0.6
3435	BR 420-1(4)0	- BLGS.	SHEEP CR - ABSAROKEE	STR & APPRS	

ADVERTISING MAY 27, 2004

\*\*\*\*\*  
\*\*\*

# MONTANA TRANSPORTATION COMMISSION POLICY STATEMENT

Adopted by the Montana Transportation Commission  
during regular session on April 7, 1998 – Revised November 22, 2002  
Policy Number       06      

\*\*\*\*\*  
\*\*\*

## URBAN HIGHWAY PROGRAM BORROW POLICY

### Background

Each year the Transportation Commission allocates a portion of the Federal Aid Surface Transportation Program funds to the Urban Highway System. The annual allocation is used to fund construction projects on the designated urban highways in Montana's fifteen urban areas.

State statutes and past commission action have allowed urban areas to borrow against their anticipated Urban Highway Program funds. Recognizing that Urban Highways Program funds are apportioned solely on the basis of urban population and that the apportionments vary greatly among the fifteen urban areas, this policy seeks to better manage the program through setting understandable borrowing limits.

### Policy

1. The projects must be on the State Urban Highway System as defined by the Montana Transportation Commission to be eligible for Urban Highway Program funds.
2. Each city (urban area) can borrow up to five years of its current year apportionment for the benefit of eligible projects but the total amount advanced cannot exceed one-half the total amount apportioned to the State Urban Highway Program.

---

       Chairman Date